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3a, \$100; B. Minnesota Statutes, section 626.557, subdivision  
4, \$100; C. Minnesota Statutes, section 626.557, subdivision  
9, \$250; D. Minnesota Statutes, section 626.557, subdivision  
14, \$100; E. Minnesota Statutes, section 626.557, subdivision  
15, \$100; and F. Minnesota Statutes, section 626.557, subdivision  
17, \$250. G. Minnesota Statutes, section 626.557, subdivision

MS s 144A.10 subd 6

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4655.9400 ALLOWABLE TIME PERIODS FOR CORRECTION.

The allowable time periods for complying with a correction order issued by the department shall be as follows:

A. part 4655.2420, subpart 2, item A, 30 days; part 4655.2420, subpart 2, item B, 14 days; part 4655.2420, subpart 2, item D, 14 days; part 4655.2420, subpart 2, item C, 14 days; part 4655.2420, subpart 2, item E, 14 days; part 4655.2420, subpart 2, item F, 14 days; part 4655.2410, subpart 4, 30 days;

B. part 4655.3000, 14 days;

C. part 4655.3600, 14 days; part 4655.4100, 30 days; part 4655.4110, 14 days; part 4655.4120, 30 days; part 4655.4130, subpart 2, 14 days; part 4655.4130, subpart 3, 30 days; part 4655.4140, 30 days; part 4655.4150, subpart 1, 30 days; part 4655.4150, subpart 2, 30 days; part 4655.4160, 14 days; part 4655.4170, subpart 1, 14 days; part 4655.4170, subpart 2, 14 days;

D. part 4655.7000, subpart 2, 30 days;

E. part 4655.7780, subpart 2, 30 days;

F. part 4655.8820, subpart 1, item A, 60 days; part 4655.8820, subpart 1, item B, 30 days; part 4655.8820, subpart 1, item C, 60 days; part 4655.8820, subpart 2, 14 days; part 4655.8820, subpart 3, 14 days; and

G. part 4660.1460, subpart 1, item A, 30 days; part 4660.1460, subpart 1, item B, 14 days.

MS s 144.653; 144A.10

4655.9500 REQUEST FOR EXTENSION OF THE ALLOWABLE TIME PERIOD FOR CORRECTION.

The nursing home may request an extension of the allowable time for correction for those rules specified in part 4655.9400. The request for extension of the allowable period of time for correction shall be received by the department prior to the expiration of the time period cited in the correction order. The failure to submit a request within that time period shall result in a denial of the request.

MS s 144A.10

4655.9600 CONTENTS OF REQUEST.

Subpart 1. Content. All requests for an extension of the allowable time period for correction shall contain the following information:

A. the identification of the rule or rules for which the correction order was issued;

B. the date the correction order was received;

C. the allowable time period for correction;

D. the reasons for requesting an extension of the allowable time period for correction which shall specify, in detail, the steps that have been taken by the nursing home to attain compliance;

E. the length of additional time required to attain compliance with the correction order; and

F. such other relevant information necessary to

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evaluate the request for the extension of time.

Subp. 2. Oral request. If the request for an extension is made orally, the administrator shall mail, within one business day, a written confirmation which contains the information specified under subpart 1.

MS s 144A.10

**4655.9700 CRITERIA FOR EVALUATION.**

A request for an extension of the allowable period of time shall be granted if the department determines that:

A. Continued noncompliance with the rule for the length of the extension will not jeopardize the health, treatment, comfort, safety, or well-being of the patient; and

B. The nursing home:

(1) Has entered into a contract to obtain the materials, labor, personnel, or other items necessary to obtain compliance with the correction order, but the supplier, contractor, or individual has failed to perform or is unable to perform within the time period specified and the inability of the nursing home to comply with the correction order is due solely to that failure; or

(2) Has otherwise made a diligent good faith effort to comply with the correction order since its receipt.

The administrator shall be notified, in writing, of the department's decision. If an extension of time is granted, the notification shall specify the additional time allowed for correction.

MS s 144A.10

**4655.9800 RENEWAL.**

Any request for the renewal of an extension of the allowable time period for correction shall be made in accordance with parts 4655.9500 and 4655.9600.

Approval for the renewal of an extension of the allowable time period for correction shall be granted if the department determines that the nursing home continues to meet the criteria contained in part 4655.9700.

MS s 144A.10

**4655.9900 DENIAL.**

The department shall deny any request for an extension of the allowable time period for correction if it determines that the criteria specified in part 4655.9700, are not met. The denial shall be in writing and shall list the reasons for the denial.

MS s 144A.10

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CHAPTER 4660

DEPARTMENT OF HEALTH

LICENSING REQUIREMENTS FOR THE PHYSICAL PLANT OF NURSING HOMES  
AND BOARDING CARE HOMES

NOTE: Under Minnesota Statutes, section 144.011, the State Board of Health was abolished and all of its duties transferred to the commissioner of health.

4660.0090 SCOPE.

The rules in chapter 4660 apply to both nursing homes and boarding care homes unless otherwise indicated.

MS s 144.56; 144A.02 to 144A.08

4660.0100 DEFINITIONS.

Subpart 1. Existing facility. An existing facility is defined in part 4655.0100, subpart 5. The term "existing" or "existing construction" as used in parts 4660.0100 to 4660.9940 of these rules shall be considered synonymous with "existing facility," as defined in part 4655.0100, subpart 5.

Subp. 2. New construction. New construction involves all construction planned and commenced after the effective date of these rules. The term "new" or "new construction" as used in parts 4660.0100 to 4660.9940 of these rules means the erection of new facilities, expansion of or additions to existing facilities, modernization or major remodeling involving substantial changes in space or arrangement, and any building planned for conversion to be licensed under the provisions of these rules.

MS s 144.56; 144A.02 to 144A.08

4660.0200 LICENSURE.

As a condition of licensure, a certificate of need shall be obtained for "construction or modification" as defined in the Minnesota Certificate of Need Act, Laws of Minnesota 1971, chapter 628.

On matters affecting licensure which are not regulated by the Certificate of Need Act, the board shall be notified directly in writing relative to proposed planning for all new construction as defined herein, remodeling, changes in existing service, function or bed capacity, addition of new services, sale, and change of ownership.

MS s 144.56; 144A.02 to 144A.08

4660.0300 COMPLIANCE WITH REGULATIONS.

Subpart 1. Compliance. The physical plant of all facilities shall be in compliance with these rules as follows.

Subp. 2. New construction. All new construction shall be in accordance with the requirements for new construction as outlined in these rules.

Subp. 3. Existing facilities. All existing facilities shall be deemed to be in substantial compliance with the physical plant requirements for new construction, except as noted in these regulations. When additional beds are added to existing facilities the required dayroom and dining room areas

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shall be based on the bed capacity of the entire facility. Compliance with the standards for new construction for existing facilities shall be for the areas involved and to the extent that the existing structure will permit. Selected improvements or correction of minor deficiencies in existing facilities shall not be a requirement for compliance with new construction criteria.

Subp. 4. Reclassification. As a condition for reclassification of a boarding care home to a nursing home, the physical plant shall be in compliance with all new construction requirements for nursing homes.

Subp. 5. State fire marshal. Fire protection shall be provided in accordance with the requirements of the state fire marshal and of these rules. The state fire marshal's approval of plans for new construction and of the fire protection of the completed facility shall be prerequisite for licensure. Facilities shall maintain a clearance by the state fire marshal in order to qualify for continued licensure.

MS s 144.56; 144A.02 to 144A.08

#### PLANS

##### 4660.0400 PREPARATION OF PLANS.

Architectural and engineering plans and specifications for new construction shall be prepared and signed by architects and engineers who are registered in the state of Minnesota and in accordance with the requirements by the Board of Architecture, Engineering, Land Surveying, and Landscape Architecture.

MS s 144.56; 144A.02 to 144A.08

##### 4660.0500 APPROVAL OF PLANS.

Preliminary plans and final working drawings and specifications for proposed construction shall be submitted to the board for review and approval. Preliminary plans shall be approved before the preparation of final working drawings is undertaken. Final working drawings and specifications shall be approved before construction is begun.

MS s 144.56; 144A.02 to 144A.08

##### 4660.0600 PRELIMINARY PLANS.

Preliminary plans shall be drawn to scale, show basic dimensions, and indicate the general layout and space arrangement of the proposed building or area and shall include a site plan when applicable. Plans shall indicate assignments of rooms and areas, and shall show bed capacities and fixed equipment.

The planning should include consideration for future expansion of a facility. This includes the site, orientation of the structure on the site, parking areas as well as patient, dietary, and laundry areas. If a laundry is not contemplated initially, provision should be made for its possible future location.

MS s 144.56; 144A.02 to 144A.08

##### 4660.0700 FINAL PLANS.

Final architectural plans and specifications shall include elevations and sections through the building showing types of

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construction, and shall indicate dimensions and assignments of rooms and areas, room finishes, door types and hardware, elevations and details of nurses' stations, utility rooms, toilets and bathing areas, and large-scale layouts of dietary and laundry areas. Plans shall show location of fixed equipment and sections and details of elevators, chutes, and other conveying systems. Fire walls and smoke partitions shall be indicated. The roof plan shall show all mechanical installations. The site plan, if applicable, shall indicate the proposed and existing buildings, topography, roadways, walks, and utility service lines.

MS s 144.56; 144A.02 to 144A.08

#### 4660.0800 FINAL MECHANICAL AND ELECTRICAL PLANS.

Final mechanical and electrical plans and specifications shall cover the complete layout and type of all installations, systems and equipment to be provided in accordance with the requirements of these regulations. Heating plans shall include heating elements, piping, thermostatic controls, pumps, tanks, heat exchangers, boilers, breeching, and accessories. Ventilation plans shall include room air quantities, ducts, fire and smoke dampers, exhaust fans, humidifiers, and air handling units. Plumbing plans shall include fixtures and equipment fixture schedule, water supply and circulating piping, pumps, tanks, riser diagrams, building drains, the size, location and elevation of water and sewer services, and the building fire protection systems. Electrical plans shall include fixtures and equipment, receptacles, switches, power outlets, circuits, power and light panels, transformers, and service feeders. Plans shall show location of nurse call signals, telephones, fire alarm stations and detectors, and emergency lighting.

MS s 144.56; 144A.02 to 144A.08

#### 4660.0900 START OF CONSTRUCTION.

The department shall be notified in writing of the date of start of construction not less than seven days after commencement. Unless construction is commenced within one year after approval of final working drawings and specifications, the drawings shall be resubmitted for renewal of review and approval.

All construction shall be executed in accordance with the approved final plans and specifications. Subsequent construction changes which involve these rules shall be approved by the department before such changes are made.

MS s 144.56; 144A.02 to 144A.08

#### 4660.1000 FINAL INSPECTION.

The department shall be notified at least 30 days prior to the completion of construction so that arrangements can be made for a final inspection by the department and by the state fire marshal. Completion involves the entire construction, equipment, staffing patterns and services. Mechanical and electrical systems shall be completed and tested for performance and safety in accordance with specifications and state requirements before new construction can be licensed and patients or residents admitted.

MS s 144.56; 144A.02 to 144A.08

#### 4660.1100 PLAN SAFEKEEPING.

At least one set of complete plans of the entire facility,

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including changes resulting from remodeling or alterations, shall be kept on file in the licensed facility.

MS s 144.56; 144A.02 to 144A.08

4660.1200 NEW CONSTRUCTION SITE.

A care facility shall be so located as to promote at all times the health, comfort, and safety of patients and residents. The factors included in selecting the site for a new facility shall be as follows:

A. Public utilities shall be available and such services provided for power and light.

B. The water supply shall be obtained from an approved public water supply system where such is available; otherwise, water shall be obtained from a water supply system, the location, construction, and operation of which is approved by the board. Plans and specifications for a private water supply system shall be approved before construction of the system or the facility is started.

C. Sewage and other liquid wastes shall be discharged into an approved public sewerage system where such a system is available; otherwise, the sewage shall be collected, treated, and disposed of in a sewage disposal system which is approved by the board and the Minnesota Pollution Control Agency. Plans and specifications for a private sewage disposal system shall be approved before construction of the system or the facility is started.

D. The site shall be away from insect-breeding swamps and shall be no closer than 300 feet to the right-of-way of a railroad main line or to the property line of industrial developments which are nuisance-producing or hazardous to health. The site shall not be contiguous to or in immediate view of a cemetery or a funeral home.

E. The site shall be located within five miles of a municipality and in an area which has a written contract with the municipality providing fire department service, or a written contract with the municipality to provide the services of an approved organized fire department to which an alarm can be sent by telephone or other suitable alarm sending device.

F. The site shall not be located within 85 feet of underground or 300 feet of above-ground storage tanks or warehouses containing flammable liquids used in connection with a service station, garage, bulk plant, or marine terminal or bottling plant of liquified petroleum gas installation.

G. The topography shall be such that good natural drainage is available, and that the site is not subject to flooding.

H. Adequate all-weather roads and walks shall be provided within the lot lines to the main entrance and the service entrance, including employees' and visitors' parking at the site.

I. Grading to one primary entrance shall allow for access for the elderly and the physically handicapped.

J. The site shall include space for outdoor activities.

K. Community activities shall be accessible, and there shall be a maintained public access to the site.

L. Medical services shall be readily available, and

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the location shall be such that employees can be recruited.

MS s 144.56; 144A.02 to 144A.08

PATIENT OR RESIDENT AREAS

4660.1300 APPLICABILITY.

Parts 4660.1400 to 4660.3200 apply to nursing homes only.

MS s 144.56; 144A.02 to 144A.08

4660.1400 PATIENTS' BEDROOM REQUIREMENTS, BEDROOM CAPACITIES, NEW CONSTRUCTION.

At least five percent of the rooms shall be designed for single person occupancy (one bed), and shall have private toilet rooms. At least 75 percent of the beds shall be located in rooms designed for one or two beds. No room shall have more than four beds.

MS s 144.56; 144A.02 to 144A.08

4660.1410 BEDROOM LOCATION EXISTING AND NEW.

Bedrooms for patients shall be outside rooms; they shall be dry, well ventilated, naturally lighted, and otherwise suitable for occupancy. Each bedroom shall have direct access to an exit corridor. In existing facilities, the floor in existing bedrooms shall not be more than three feet below the outside grade level. All bedrooms for patients which are licensed on or after the effective date of these rules shall be at or above grade. In all new construction, the floor shall be located at or above the outside grade level or outside surface.

MS s 144.56; 144A.02 to 144A.08

4660.1420 PLACEMENT OF BEDROOMS IN NEW CONSTRUCTION.

Patient bedrooms shall be located not more than 120 feet from the nurses' station and a clean utility room; and the location of the soiled utility room shall be not more than 80 feet from a patient bedroom or from the nurses' station.

MS s 144.56; 144A.02 to 144A.08

4660.1430 USABLE FLOOR AREA IN BEDROOM.

Subpart 1. Existing and new. The usable floor area and the arrangement and shape of the bedroom shall provide space for furnishings, for the free movement of patients with physical handicaps and for nursing procedures. The usable floor area does not include spaces occupied by toilet rooms, vestibules, lockers or closets, or heating units.

Subp. 2. Existing facilities. The usable floor area per bed shall not be less than: 100 square feet for single rooms, 80 square feet for two-bed rooms, and 70 square feet for three- or four-bed rooms, when thus licensed prior to the effective date of these rules.

Subp. 3. New construction. In new construction the usable floor area per bed shall not be less than: 100 square feet for single rooms, and 80 square feet for two-, three-, or four-bed rooms.

MS s 144.56; 144A.02 to 144A.08



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4660.1440 BED ARRANGEMENT.

Subpart 1. Existing and new. Beds shall be located so as to avoid drafts, excessive heat, or other discomforts to patients. All single and multi-bed rooms shall allow for a bed arrangement which provides at least three feet of floor space at both sides and the foot end of each bed.

Subp. 2. New construction. Multi-bed rooms shall be arranged to permit not more than two beds side by side parallel to the window wall.

MS s 144.56; 144A.02 to 144A.08

4660.1450 BEDROOM WINDOWS IN NEW CONSTRUCTION.

The window area shall not be less than one-eighth of the usable floor area, and the window sill shall not be higher than two feet, six inches above the floor. The window shall face an open outside space not less than 30 feet deep, and shall provide an unobstructed angle of vision within this space of not less than 65 degrees. This angle may be read along the exterior wall.

MS s 144.56; 144A.02 to 144A.08

4660.1460 BEDROOM DOORS.

Subpart 1. Existing and new. For existing and new construction:

A. The nursing home shall develop a written policy regarding the use of locks on patient bedroom doors. The policy shall address whether or not doors can be locked while the patient is in the room.

B. All such locks shall permit exit from the room by a simple operation without the use of a key. All locks shall be openable with a master key which is located at each nursing station.

Subp. 2. New construction. The door to the corridor shall be of fire-resistive construction in accordance with chapters 1300 to 1365, the State Building Code, 1971 edition, open into the bedroom, and provide a clear opening of 44 inches. Bedroom doors shall not open directly to a dayroom, dining area, or any other common use area.

MS s 144.56; 144A.02 to 144A.08

4660.1470 CLOTHES CLOSET.

Subpart 1. New construction. A separate built-in closet or storage space for clothing and personal belongings shall be provided within the room for each patient. It shall be provided with shelving, at least one drawer unless included in the bedroom, and a full-length hanging space sized to accommodate clothes on hangers. The interior closet area shall be at least 22 inches deep and 36 inches wide.

Locks may be provided, with keys for the patients when a pass key is provided for the nurse.

Subp. 2. Existing facilities. See part 4655.7000, subpart 1, item C.

MS s 144.56; 144A.02 to 144A.08

4660.1480 CUBICLE CURTAINS, EXISTING AND NEW.

Cubicle curtains shall be installed for complete privacy for each patient in multi-bed rooms. Decorative types recommended.

MS s 144.56; 144A.02 to 144A.08

4660.1500 CORRIDORS.

Subpart 1. Existing and new. Securely anchored handrails shall be provided on both sides of corridors used by patients.

Subp. 2. New construction. The unobstructed width of all corridors in patient areas shall be eight feet, and all exits shall comply with chapters 1300 to 1365, the State Building Code, 1971 edition. The handrails shall be mounted at a height of 32 inches to the top of rail. The handrail shall be a round or oval section, 1-3/4 to two inches in diameter, and the clear distance between the handrail and wall shall be 1-1/2 inches. Wall bracket supports shall be provided at least six feet on center, and the brackets shall be capable of supporting a load of not less than 200 pounds.

MS s 144.56; 144A.02 to 144A.08

4660.1600 NURSES' STATION.

Subpart 1. Existing and new. One or more nurses' stations shall be provided, and there shall be at least one nurses' station per patient floor. A nurses' station may serve more than one nursing area on the same floor, when adequately sized and staffed, and the maximum travel distances are not exceeded. The station area shall include a nurse call register panel and counter space for nurses' and doctors' charting, and space for storage of charts and supplies.

Subp. 2. New construction. Each nursing station shall be located at the main corridor for better control and for observation of patients and signals.

Subp. 3. Recommended room. An examination and treatment room is recommended. The room should be provided with a lavatory with institutional fittings, a single-service towel dispenser, storage cabinets, a treatment table, and a high-intensity examining light.

MS s 144.56; 144A.02 to 144A.08

4660.1700 MEDICATION ROOM, EXISTING AND NEW.

The medicine preparation area (see parts 4655.7730 and 4655.7740) shall be provided in a location which is quiet and convenient for the nursing staff, and separated from all soiled activities. It can be a designated area within the nurses' station or the clean utility room. The area shall contain a work counter, a sink with institutional fittings, a single-service towel dispenser, a refrigerator for medications with a reliable thermometer, and medicine and narcotics cabinets.

MS s 144.56; 144A.02 to 144A.08

4660.1800 CLEAN UTILITY ROOM.

Subpart 1. Existing and new. A separate clean utility room shall be provided, conveniently located within each nursing area.

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